

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ROBERT J. GARGASZ Co., L.P.A., et al)	CASE NO.: 1:23CV02468
)	
)	
Plaintiffs,)	JUDGE CHARLES E. FLEMING
)	
v.)	
)	
)	
SECRETARY OF THE TREASURY, et al)	<u>MOTION TO HOLD CASE</u>
)	<u>IN ABEYANCE PENDING</u>
)	<u>OUTCOME OF 11TH CIRCUIT</u>
)	<u>CASE</u>
Defendants.)	

Now come the Defendants, by and through undersigned counsel, and hereby respectfully request this Honorable Court hold this matter in abeyance pending the outcome of a similar case in the Eleventh Circuit Court of Appeals, *National Small Business United, et al. v. U.S. Department of the Treasury, et al.*, 11th Circuit Court of Appeals Case No. 24-10736.

As grounds for this request, the issues in *National Small Business United* are similar to this case—mainly whether the Corporate Transparency Act is constitutional. For purposes of judicial economy and consistency among the circuits in deciding the constitutionality of this new statute, Defendants request this case be held in abeyance until the decision in *National Small Business United* is issued.

The parties in the Eleventh Circuit case requested an expedited briefing and argument schedule (*see* Joint Motion to Expedite Briefing and Argument, attached as Exhibit A). They

have proposed the following briefing deadlines:

Government's opening brief and appendix:	April 15, 2024
Plaintiffs' answering brief:	May 13, 2024
Government's reply brief:	June 3, 2024

The parties also proposed that the Eleventh Circuit hear oral argument in that case on the earliest available date following June 3, 2024. Thus, the decision should not be unduly delayed.

Consequently, in the interests of justice and judicial economy, Defendants request this case be held in abeyance pending the outcome of *National Small Business United* in the Eleventh Circuit Court of Appeals.

Respectfully submitted,

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